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7 November 2007

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Application Number 10/646,939

Ladies and Gentlemen:

Enclosed please find:

1. Copy of Notice of Non-Compliant Amendment mailed on November 1, 2007, stating that "appropriate markings showing which portions have been removed and which portions have been added" to each claim has not been provided.
2. Copy of post card receipt listing marked copy of claims as component received by the PTO on August 7, 2007.
3. Copy of the marked copy of claims which was submitted to the PTO on August 7, 2007. Please note that all material which has been added is underlined and all material which has been deleted has been struck with a dash.

Please contact me if you need anything further.

Please date stamp the enclosed post card and return it to me as a receipt.

Sincerely,
GOULD & WHITLEY
a partnership of professional corporations

Linda Flewellen Gould

Encl.

c: Jerry and K.J. Langin-Hooper

Notice of Non-Compliant Amendment (37 CFR 1.121)	Application No.	Applicant(s)	
	10/646,939	LANGIN-HOOPER ET AL.	
	Examiner	Art Unit	
	Kristin D. Sandoval	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 07 August 2007 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
 - ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
 - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
 - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
 - ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.


Failure to timely respond to this notice will result in:

- Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or
- Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable

Telephone No.

Continuation of 4(e) Other: Although the proper identifier has been provided for each claim, the appropriate markings showing which portions have been removed and which portions have been added has not been provided. Thus, it is unclear how the newest set of claims differs from the previous set of claims.



Benjamin E. Lancer
Examiner Art 2132

RE: Application Number 10/646,939

This date stamp acknowledges receipt of the following items
by our office:

1. Reply Under 37 CFR 1.111
2. Marked copy of Claims
3. Clean copy of Claims
4. Marked copy of Specification
5. Clean copy of Specification
6. Petition for Extension of Time
7. Check in the amount of \$510.00 as extension fee
8. Certificate of Mailing by Express Mail

